

A REGULAR WORK SESSION WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE 30TH DAY OF SEPTEMBER IN THE YEAR TWO THOUSAND FIFTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING, NEW KENT, VIRGINIA, AT 9:00 A.M.

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IN RE: CALL TO ORDER

Chairman C. Thomas Tiller, Jr. called the meeting to order.

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IN RE: ROLL CALL

Thomas W. Evelyn	Present
C. Thomas Tiller, Jr.	Present
James H. Burrell	Present
Ron Stiers	Present
W. R. Davis, Jr.	Present

All members were present.

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IN RE: MAIDSTONE VILLAGE, LLC PRESENTATION

John Adamson, owner/developer of Maidstone Village, LLC, told Board members that he purchased Maidstone two years ago after focusing most of his business endeavors in Richmond and west of Richmond. He said he was impressed with the architecture, proximity to schools and the county seat that Maidstone provided, however, he didn't fully appreciate the work it would take to get it going again. He commented that the dark, empty bank building was not inspiring confidence as the other businesses there were - such as Maidstone Dental, Active Life Fitness, and Stay and Play - but he felt that with modifications done to the drive-thru of the bank, it could be a beautiful home for Heritage Public Library and make a great statement to the public.

Mr. Adamson spoke about previous projects he had worked on where he repurposed old buildings and held long-term leases on properties as well. He said over the course of the past eight years he had done what he said he would do on those other properties and he would really like to see this project come to fruition.

With the 15-year leasing option Mr. Adamson was offering the County, it would allow him to maintain control on the front end while costing the County the same rent as is currently being paid. After the 15 year period he would sign over ownership to the County or the Library. This would encourage other space at Maidstone to be leased - helping with the tax base, he said.

Mr. Davis asked about the current taxes on the building and Mr. Hathaway stated that they were approximately \$8,000.

Mr. Evelyn stated that at 15 years the cost would be roughly \$1 million. Mr. Hathaway confirmed that the amount would be \$929,946 at the end of 15 years.

Mr. Evelyn and Mr. Davis both said they thought the building would be a good space for the library and a good anchor for the area. Mr. Evelyn said he would support a shorter lease with the option to buy. He asked Library Board members present if they felt they had ways to raise \$1 million. Librarian Barbara Winters said that she felt over a period of time that

could be accomplished. Mr. Evelyn said he felt that if sweat equity was put in by the library that it could be sold to the citizens a lot easier.

Mr. Davis said he felt the 15-year option was a little too expensive. In addition, there is still the historic school that needs to be refurbished, which at one point was being considered as a space for the library. After examining the three options for a library, Maidstone and two different spaces at the Historic School, Mr. Davis said he would tend to agree with Mr. Adamson that the Maidstone option would help development. He also noted that libraries "are changing as we speak" and wondered "who knows what will be in 15 years." He said he needed to hear from the library board.

Mr. Stiers stated that he had been trying to find the library a home for four years. He said he felt Maidstone was "a black eye" to the hub of New Kent and he wanted to know if the library board was even interested in the building. He wondered if the library was more interested in the historic school cafeteria but he didn't want to prohibit Rappahannock Community College expansion, if needed.

Mr. Adamson said the bank building would provide a focal point so the library board could rally and raise the money needed up front for refurbishment. Taxpayers would love to see a library in a free-standing building versus the basement of another building, he said.

The Board asked Bill Leary, Vice Chairman of the library board to come forward and speak with them. Mr. Leary indicated that he was not authorized to speak on behalf of the library board at this time and that all comments he would make would be his own. He said the County had been extremely supportive of the library and it would be a challenge to raise money but he thought they could do it. He asked the Board for the terms of the agreement so that he could take it back to his board – specifically the length of time that was being considered.

Mr. Evelyn asked if either of the buildings would work and which building would the library prefer. Mr. Leary said that the library would be at the mercy of the Board and that while the library board had passed a resolution for the cafeteria, they would need information on the bank building.

Ms. Winters told the Board that the library had been at the current location since 2008, they paid \$48,000 per year in rent, that the lease would be up January 2018, and that there was a 6-month notice to break the lease.

Mr. Leary ended his statement saying that he was not fond of the library owning the building.

Mr. Davis said that there had to be a middle ground on this issue. He asked Ted Cole with Davenport & Associates to review a presentation with several different options for lease versus county purchase.

Mr. Bill O'Keefe, Chairman of the Economic Development Authority (EDA), was present and told the Board that as a taxpayer and a member of the EDA he would think the Board would need to decide which option would generate more tax revenue to the County, saying that the clear choice would be the bank building. He added that in talking about the historic school as a location for the library he would think that would affect the County's credibility with possible donors to the library.

The Board thanked Mr. Adamson for his presentation.

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IN RE: DISCUSSION/ADOPTION OF PINE FORK PARK MASTER PLAN

Parks and Recreation Director Kimberly Turner and SilverCore Representative Jeff Staub appeared before the Board for discussion and adoption of the Pine Fork Park Master Plan.

Ms. Turner said that as part of New Kent County Parks & Recreation's 15<sup>th</sup> birthday celebrations, they had received good input at events for this plan. She told the Board that a master plan was a foundation of amenities that people want in a park, and while it was not set in stone, the County needed a master plan to apply for grants. She continued on to say they would be phasing the park in and a number of the steps would depend on money. She added that a boundary line adjustment was needed on this property.

Mr. Staub said that a rough grading plan has been completed that did not look to have major problems and that he had looked at a soils map and the drainage looked good.

Mr. Burrell asked about the length of the walking trail. Mr. Staub answered that it was almost a mile.

Ms. Turner pointed out the green space and wooded areas after Mr. Davis commented on the plan being "busy" and utilizing almost all of the space.

Mr. Evelyn asked if this plan need to be approved to go on to the Virginia Department of Transportation (VDOT) and Ms. Turner said that the road needed to be put in, the well, and stormwater management. She also indicated that the two tennis courts would not be added now – they would be phased in after seeing how much the new courts at the high school were utilized.

Mr. Stiers asked about the decision to have multi-use trails and how pet waste was handled. Ms. Turner said that pet owners cleaned up after their pets at the Wahrani Nature Trail so this particular item didn't seem to be a problem.

There was discussion about the indoor pool included in the master plan and Mr. Staub pointed out that the field house was a future item. There was further discussion about the cost of certain elements such as baseball fields fully completed with lights. Ms. Turner spoke about phasing in elements with the aid of grants versus using a referendum to gauge citizens' feelings about the project.

Mr. Burrell commented that statistics show that communities with a park have less propensity for crime.

Mr. Burrell motioned to adopt the Pine Fork Park Master Plan as presented. The members were polled:

Thomas W. Evelyn	Aye
James H. Burrell	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
C. Thomas Tiller, Jr.	Aye

The motion carried.

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IN RE: VIRGINIA COOPERATIVE EXTENSION – NEW KENT OFFICE UPDATE

Extension Agent John Allison reviewed three Virginia Cooperative Extension programs – agriculture, horticulture and 4-H. He reviewed recent events such as Envirothon and the Farm Tour as well as successful programs in crop protection.

Mr. Burrell asked if Extension had a program to encourage raising honey bees. Mr. Davis commented that there used to be a \$200 tax credit. Mr. Allison indicated there was no bee program in New Kent.

The Board thanked him for his presentation and he thanked the Board for its support.

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IN RE: BRIEFING ON APPLICATION CUP-01-15, PHILBATES/NEW KENT COUNTY FIRE & RESCUE

Matt Smolnik, Director of Community Development, appeared before the Board concerning Application CUP-01-15, Philbates/New Kent Fire & Rescue. He told Board members that the property in question was located on the south side of Route 249/New Kent Highway and was rezoned in 2009. Ms. Philbates, the property owner, has been allowing Fire-Rescue to use the property for training purposes but this conditional use permit (CUP) would make it "official." The application will go to the Planning Commission next month and to the Board in November.

Mr. Davis said that he had watched training at Company 3 several times and they do need more space.

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IN RE: BRIEFING ON APPLICATION CUP-03-15, HORSLEY TREOLO HOLDINGS/DENNIS' TRUCK & AUTO REPAIR

Mr. Smolnik briefed Board members on Application CUP-03-15, Horsley Treolo Holdings/Dennis' Truck & Auto Repair. He told Board members that he met with the tenant and the owner of the property in question and that this conditional use permit (CUP) was being brought before the Board because truck and trailer repair was not defined for this zoning. He reported that one individual appeared at the public hearing to ask questions about the CUP and that the Virginia Department of Transportation (VDOT) did not have problems with this application.

Mr. Smolnik added that the 106 Corridor (Emmaus Church Road) would eventually need to be examined for need of right-of-ways for a possible four-lane widening but he also said this would be very long-term.

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IN RE: CONSENT AGENDA – APPROVAL OF FY15 INTERDEPARTMENTAL BUDGET TRANSFERS/SUPPLEMENTAL BUDGET APPROPRIATIONS

Mary Altemus, Director of Financial Services, confirmed for the Board that approval of this consent agenda was end-of-the-year cleanup for Fiscal Year 2015.

1. Interdepartmental Budget Transfers – FY15
  - a. E911 Systems:  
From Part-Time Salaries to Overtime- Salaried, (\$762.00)
  - b. Financial Services:  
From Overtime to Salaries & Wages, (\$834.00),

- From Overtime to Part-Time Salaries & Wages, (\$112.00),
  - From Overtime to Retirement - VSRS, (\$86.00)
  - c. Refuse Collection:
    - From Salaries & Wages to Retirement - VSRS, (\$8.00)
  - d. Treasurer:
    - From Travel (Convention & Education) to ST/LT Disability Premium, (\$201.00)
  - e. Receptionist/Switchboard:
    - From Computer Supplies to Salaries & Wages, (\$150.00),
    - From Office Supplies to Salaries & Wages, (\$23.00),
    - From Office Supplies to FICA/Medicare, (\$7.00),
    - From Workers Compensation to FICA/Medicare, (\$2.00)
  - f. Circuit Court Clerk:
    - From Permanent Record Expenditures to Salaries & Wages, (\$527.00),
    - From Permanent Record Expenditures to Overtime, (\$54.00),
    - From Permanent Record Expenditures to FICA/Medicare, (\$296.00),
    - From Permanent Record Expenditures to Retirement - VSRS, (\$772.00),
    - From Permanent Record Expenditures to ST/LT Disability Premium, (\$109.00),
    - From Permanent Record Expenditures to Hospital/Medical Plans, (\$767.00),
    - From P.T. Circuit Court Clerk to Hospital/Medical Plans, (\$812.00),
    - From Postage to Hospital/Medical Plans, (\$472.00),
    - From Books & Subscriptions to Hospital/Medical Plans, (\$26.00)
  - g. Buildings & Grounds:
    - From Contract Services to Salaries & Wages, (\$1,083.00),
    - From Electric Service to Salaries & Wages, (\$1,572.00)
    - From Lawn Maintenance Supplies to Salaries & Wages, (\$1,071.00)
    - From Heating Services to Salaries & Wages, (\$836.00)
    - From Professional Services to Salaries & Wages, (\$745.00)
    - From Travel (Convention & Education) to Salaries & Wages, (\$750.00),
    - From Vehicle Supplies & Maintenance to Salaries & Wages, (\$36.00)
2. FY 15 Supplemental Appropriations
- a. Funds to cover additional cost related to a former lease for access to a tower, \$8,445.24
  - b. Funds to cover the increase in salary given to a Parks & Recreation employee, \$8,802.36
  - c. Funds to cover additional amount needed to transfer to Fund 198 from Fund 98 due to shortage of connection fees, \$62,207.79

\$79,455.39	Total
\$(17,247.60)	From General Fund - Fund Balance (1)
\$(62,207.79)	From Utility Fund - Fund Balance (98)
\$62,207.79	From Utility Fund - Fund Balance (198)

Mr. Evelyn moved to approve the Consent Agenda as presented and that it be made a part of the record. The members were polled:

James H. Burrell	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye

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IN RE: OTHER BUSINESS

Mr. Hathaway commented on upcoming weather issues. He told the Board that the Fire Chief would update staff later that day and in turn he would update the Board.

Mr. Evelyn said it was his understanding that John Poindexter, a local landowner, was working with the Historical Society on a historic sign to possibly be placed at the cul de sac of Cumberland Road. Mr. Hathaway commented that Mr. Poindexter wants the cul de sac to be paved and that VDOT will not pay to pave it but indicated that they would gravel it. Mr. Davis said that Mr. Poindexter has also constructed a fence up to Cumberland Road at his property and now the bus can't turn around there and so the bus has found another turn around point in another property owner's driveway, tearing up that driveway. He commented that if the historic sign were to be placed in the cul de sac and someone drove up to it, they would have to back into the road due to space issues.

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IN RE: MEETING SCHEDULE

Chairman Tiller announced the next regularly scheduled meeting of the Board of Supervisors would be held at 6:00 p.m. on Tuesday, October 13, 2015 and the next work session would be held at 9:00 a.m. on Wednesday, October 28, 2015. Both meetings would be held in the Boardroom of the County Administration Building.

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IN RE: CLOSED SESSION

Mr. Evelyn moved to go into Closed Session pursuant to Section 2.2-3711A.1 of the Code of Virginia for discussion regarding employee performance involving Fire-Rescue and Human Resources and 2.2-3711A.3 of the Code of Virginia for discussion or consideration of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County involving the Heritage Public Library. The members were polled:

Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
James H. Burrell	Aye
C. Thomas Tiller, Jr.	Aye

The motion carried. The Board went into closed session.

Mr. Evelyn moved to return to open session. The members were polled:

W. R. Davis, Jr.	Absent
James H. Burrell	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye

The motion carried.

Mr. Stiers made the following certification:

Whereas, the New Kent County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by the Board that such closed session was conducted in conformity with Virginia law;

Now therefore be it resolved that the Board hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open session requirements by Virginia law were discussed in closed session to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Board.

The Chairman inquired whether there was any member who believed that there was a departure from the motion. Hearing none, the members were polled on the certification:

Thomas W. Evelyn	Aye
James H. Burrell	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Absent
C. Thomas Tiller, Jr.	Aye

The motion carried.

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IN RE:           ADJOURNMENT

Mr. Stiers moved to adjourn the meeting. The members were polled:

James H. Burrell	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Absent
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye

The motion carried.

The meeting was adjourned at 11:45 a.m.